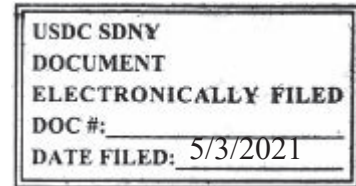


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



Benchmark Investments, Inc.,

Plaintiff,

—v—

ShiftPixy, Inc.,

Defendants.

21-cv-01988 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

It having been reported to this Court that this case has been settled, it is hereby ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the application to restore the action is made within thirty (30) days. To be clear, any application to reopen **must** be filed **within thirty days** of this Order; any application to reopen filed thereafter may be denied solely on that basis.

All scheduled conferences are hereby adjourned. Within the thirty-day period provided for in this Order, the parties may submit to the Court their own Stipulation of Dismissal for the Court to So Order. Pursuant to Rule 5.A. of the Court's Individual Practices in Civil Cases, the Court will not retain jurisdiction to enforce a settlement agreement unless the terms of the agreement are made part of the public record.

SO ORDERED.

Dated: May 1, 2021

A handwritten signature in black ink, appearing to read "Alison J. Nathan".

ALISON J. NATHAN
United States District Judge
New York, New York